

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JERRY JOHN MASI,

Plaintiff,

v.

LUZERNE COUNTY CHILDREN &
YOUTH SERVICES,

Defendant.

NO. 3:18-CV0822

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this 15th day of June, 2018, upon review of the Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. (Doc. 4) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 4) is **ADOPTED**.
- (2) The Complaint (Doc. 10) is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo

A. Richard Caputo

United States District Judge